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4 E-FILED on 9/15/09  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 Matthew John Hummasti, No. C-09-1447 RMW  
13 Plaintiff,  
14 v.  
15 Paul Voller, ORDER DISMISSING COMPLAINT  
16 Defendant. WITHOUT PREJUDICE  
17 [Re Docket No. 5]

18 By letter request dated July 16, 2009, plaintiff requested that this action be dismissed.  
19 Plaintiff's motion is granted and it is hereby ordered that the complaint is dismissed without  
20 prejudice.  
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24 DATED: 9/15/09

  
25 RONALD M. WHYTE  
26 United States District Judge  
27  
28

1 **A copy of this document has been mailed to:**

2 **Plaintiff:**

3 **Matthew John Hummasti**  
4 92340 Svensen Market Road  
Astoria, OR 97103

5 **Counsel for Defendant:**

6 No appearance

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9  
10 Counsel are responsible for distributing copies of this document to co-counsel that have not  
registered for e-filing under the court's CM/ECF program.

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14 **Dated:** 9/15/09

15 TER  
**Chambers of Judge Whyte**